

REMARKS

The claims remaining in this patent application following amendment are Claims 1-7, 11-15, and 17-27. Claims 8-10 and 16 have been cancelled, without prejudice. Claims 1, 11, 12, 17, 18, 20, 23, 26 and 27 have been amended. Claims 24 and 25 are indicated to be allowed. Claims 9 and 23 are objected to but are indicated to contain patentable subject matter. Claims 26 and 27 are indicated to be allowable if rewritten to overcome a rejection as to form.

Claims 1-9 and 20-22 are rejected under 35 U.S.C. 103 as being unpatentable over the patent to Milloy (6,305,471) in view of the patent to Bennett (6,229,448). As pointed out above, original Dependent Claim 9 was objected to but was also indicated to contain patentable subject matter. Therefore, Dependent Claims 8-10 have been cancelled and the features thereof added to Independent Claim 1. In view of the foregoing, Independent Claim 1, amended, recites a system which is believed to be patentable over any reasonable combination of Milloy in view of Bennett. Inasmuch as Independent Claim 1, amended, is believed to be patentable, Claims 2-7, which depend therefrom, are likewise believed to be patentable.

Independent Claim 20 has been amended to recite a method for monitoring a gas/oil well comprising the steps of sensing a condition of the gas/oil well by a monitoring unit, interrogating the monitoring unit for the sensed condition, and transmitting the sensed condition from the monitoring unit to a relay unit over a wireless link in response to an interrogation sent to the monitoring unit by said relay unit. There is nothing shown or suggested in Milloy, Bennett, or any

combination thereof which is the same as or equivalent to the method recited by the applicant in Independent Claim 20, amended. That is to say, while it may be known from the cited patents for a monitoring unit to transmit data regarding a sensed condition, such data is automatically sent at regular intervals and without interrogation from a remote relay unit. Independent Claim 20 includes the method steps of interrogating the monitoring unit with an interrogation sent by the relay unit and then transmitting the sensed condition from the monitoring unit in response to the aforementioned interrogation. Thus, the data concerning the sensed condition is transmitted from the monitoring unit on a selective basis and only after the monitoring unit is first interrogated by the relay unit. Since neither Milloy nor Bennett teaches a step of selectively interrogating a monitoring unit for a sensed condition from a relay unit, Independent Claim 20, as amended, is believed to be patentable. Inasmuch as Independent Claim 20 is believed to be patentable, Claims 21-23, which depend therefrom, are likewise believed to be patentable.

Claims 11-19 are rejected under 35 U.S.C. 103 as being unpatentable over the aforementioned patent to Bennett in view of the aforementioned patent to Milloy. Independent Claim 11 has been amended to recite a system for monitoring a gas/oil well comprising a monitoring unit having a bi-directional wireless monitor transceiver, a relay unit including a wireless relay transceiver communicating with the bi-directional monitor receiver such that said bi-directional monitor receiver transmits communications to and receives communications from the relay transceiver, wherein said relay unit is adapted to interrogate said monitoring unit for sensor data and to transmit said sensor data to a host interface. As indicated above, neither Bennett, Milloy, or any combination thereof shows or suggests any means (e.g., a relay unit) adapted to selectively interrogate the monitoring unit for sensor data. Moreover, Independent

Claim 11 has also been amended to recite that the transceiver of the monitoring unit is bi-directional so as to be capable of receiving the interrogation from the relay unit and, in response to said interrogation, transmitting sensor data to the relay unit to be transmitted to the host interface. It is submitted that the aforementioned system recited in Independent Claim 11, amended, is distinguishable from any reasonable combination of Bennett in view of Milloy. In view of the foregoing, Independent Claim 11, amended, is believed to be patentable. Inasmuch as Independent Claim 11 is believed to be patentable, Claims 12-15 and 17, which depend therefrom, are likewise believed to be patentable.

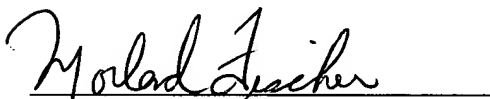
Independent Claim 18 has been amended to recite an apparatus for monitoring a gas/oil well, comprising a gas tight and explosion proof housing containing sensor processing electronics, an RF transceiver located inside the housing in electrical communication with the sensor processing electronics, said RF transceiver connected to an antenna located outside the housing, and a relay unit spaced from the housing and adapted to interrogate said sensor processing electronics for data via said antenna. As indicated above, nothing in Bennett or Milloy shows or suggests an RF transceiver that is adapted to receive an interrogation from a remote relay unit by way of an antenna so that data from sensor processing electronics located within a gas and explosion proof housing can be requested by and sent to the relay unit. That is, while the transmitter of Bennett automatically provides data on a predetermined schedule, the sensor processing electronics of the applicant provides data in reply to an interrogation transmitted by a relay unit via an external antenna. In view of the foregoing, it is believed that Independent Claim 18, as amended, recites an apparatus which is distinguishable from any reasonable combination of Bennett and Milloy. Therefore, it is submitted that Independent Claim 18, amended, is patentable. Inasmuch as

Independent Claim 18 is believed to be patentable, Claim 19, which depends therefrom, is likewise believed to be patentable.

Claims 26 and 27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Each of Independent Claims 26 and 27 has been amended so as to improve the editorial content thereof and thereby comply with the requirements of 35 U.S.C. 112, second paragraph. Inasmuch as Claims 26 and 27 were indicated to contain patentable subject matter, it is submitted that each of Independent Claims 26 and 27, as amended, is patentable.

In view of the foregoing, each of Claims 1-7, 11-15, and 17-27 which remains in this patent application following amendment, is believed to recite a patentable system or method. Accordingly, reconsideration of the Examiner's rejection is requested, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,



Morland C. Fischer
Attorney for the Applicant
2030 Main Street, Suite 1050
Irvine, CA 92614
Telephone: (949) 476-0600
Facsimile: (949) 476-0606

April 11, 2005
Dated



CERTIFICATE OF MAILING

I, Paulette A. Fritz, do hereby certify that the foregoing documents are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Box: No Fee Amendment, Commissioner for Patents, P. O. Box 1450 Alexandria, VA 22313-1450 on this date of April 11, 2005.

Name Printed: Paulette A. Fritz

Signature: *Paulette A. Fritz*

Date of Deposit: April 11, 2005